

OFFICE OF THE GENERAL COUNSEL
Division of Operations-Management

MEMORANDUM OM 96-32

April 16, 1996

TO: All Regional Directors, Officers-in-Charge,
and Resident Officers

FROM: B. Allan Benson, Acting Associate General Counsel

SUBJECT: Unfair Labor Practice Complaints Involving Sole
Proprietorships and Partnerships

The Agency's efforts to obtain compliance through contempt and/or collection proceedings are severely hampered where Board orders and court judgments involving sole proprietorships or partnerships do not fully and accurately identify all responsible individuals.

This is a reminder that all unfair labor practice complaints issued against sole proprietorships or partnerships must include in their case caption, and in the jurisdictional pleadings, the full names of all individuals liable for compliance. For example, John C. Jones, an Individual, d/b/a Jones Plumbing, or John C. Jones and Brendan L. Jones, Individually, and as Partners, d/b/a Jones Plumbing.

Additionally, Regions should take all steps necessary to ensure that Board orders that eventually issue in such cases carry the correct caption, in full, and that the "order" sections of such decisions specify by name the individual owners who are personally liable for compliance.¹

Thank you for your attention to this matter. If you have any questions concerning this memorandum, please contact me or your Assistant General Counsel.

B. A. B.

MEMORANDUM OM 96-

¹ Where recommended orders do not fully and accurately set forth all responsible individuals, this should be brought to the attention of the administrative law judge with a request that necessary corrections be made. If a Board order presents the same issue, an appropriate motion should be made to correct the order.

